

## Town of Grand Island – Regular Meeting #2

A regular meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Rd., Grand Island, NY at 8:00p.m. on the 18<sup>th</sup> of January 2022.

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Peter J. Marston	Councilman
	Thomas A. Digati	Councilman
	Christian J. Bahleda	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.  
Pastor John Schuerholz from Cornerstone Church gave the Invocation.  
Councilman Thomas A. Digati led the Pledge of Allegiance.

The Meeting was conducted via ZOOM and streamed live on the Town’s website – [www.grandislandny.us](http://www.grandislandny.us)

### **PUBLIC COMMENTS:**

This is an opportunity for residents to comment on any matter regarding the meeting agenda items only.

*Speakers:* Alice Gerard

### **Local Law Intro #6 of 2021 – Rezoning SBL #37.03-1-21.11 (Rivertown) – Grand Island Boulevard and Baseline Road – R-3, R1D, CBD to PDD (Application)**

A Public Hearing was held Tuesday, January 18, 2021, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #6 of 2022 – Rezoning SBL #37.03-1-21.11 (Rivertown) – Grand Island Boulevard and Baseline Road – R-3, R1D, CBD to PDD (Application).

*Speakers:* Kim Nason, Paul Salonek, Colleen Huff, Roger Trettel, Tim Wellence, Joe Spinella Via ZOOM – Michael Rayhill, Cathy Rayhill, Amy Runick, Dave Reilly, Mike Rayhill

Supervisor John Whitney declared the Public Hearing closed.  
A motion was made by Councilman Digati, seconded by Councilman Madigan to refer the matter to the Town Board.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### **MINUTES:**

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve Minutes of Workshop #1, January 3, 2022, and Minutes of Regular Meeting #1 of January 3, 2022.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

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### **CONSENT AGENDA:**

1. Meeting Minutes – Zoning Board of Appeals – December 2, 2021
2. Building Permits Issued – December 2021
3. 2022 Schedule of Planning Board Meetings
4. Meeting Minutes – Planning Board – December 13, 2021

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the consent agenda as distributed.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### **COMMUNICATIONS – TOWN BOARD:**

#### **SUPERVISOR JOHN C. WHITNEY:**

#### **Special Use Permit Renewal – Grand Island Development, LLC – 1611 Whitehaven Road – Solar Array Project**

A motion was made by Councilman Digati, seconded by Councilman Marston to renew the Special Use Permit for Grand Island Development, LLC – 1611 Whitehaven Road – Solar Array Project, subject to the payment of 2021 and 2022 renewal fees. The site had been inspected and it was unchanged at the time of inspection. The expiration date of permit is July 16, 2023.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### **COMMUNICATIONS – OTHER TOWN OFFICIALS:**

#### **HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:**

#### **Historic Cupola**

A motion was made by Councilman Digati, seconded by Councilman Marston to approve the expenditure of up to \$4,000 from the General Fund for the Highway Department to construct facsimile of the Historic Cupola.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

#### **NYS Highway Law – Section 284 Agreement – 2022**

No action by the Town Board.

#### **Authorize Supervisor to Sign Agreement – Inter-Municipal Highway Shared Services Agreement**

A motion was made by Councilman Madigan, seconded by Councilman Digati to authorize the Supervisor to sign the Erie County Inter-Municipal Highway Shared Services Agreement.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

## Town of Grand Island – Regular Meeting #2

### TOWN ATTORNEY – PETER GODFREY:

#### Resolution Rehearing Request Permission to Shoot Rifles and Pistols on 6.5 Acre Property Located at 2685 Love Road

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to adopt the following resolution rehearing request for permission to shoot rifles and pistols on 6.5 Acre property located at 2685 Love Road:

WHEREAS, David and Betsy Hiser, owners of property at 2685 Love Road in the Town of Grand Island (the “Property”) sought permission of the Town of Grand Island Board (the “Town Board”) for family and guests to shoot rifles and pistols at the Property pursuant to Chapter 148 of the Town of Grand Island Code (the “Code”); and

WHEREAS, the Town Board approved the request, subject to the condition that the Code Enforcement Officer inspect and approve the proposed construction of the shooting range at the Property to protect public safety; and

WHEREAS, the Code Enforcement Officer has determined that he is unable to approve a shooting range at the Property based upon the lack of safety information presented.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Grand Island that:

1. The Town Board’s determination to grant permission to David and Betsy Hiser to shoot rifles and pistols at the Property is revoked and will be reheard.
2. David and Betsy Hiser are directed to provide the Town Board with a certification from a professional engineer that the proposed shooting range has adequate protections for public safety. At such time, the Town Board will render a final determination on the request.
3. This resolution is effective immediately.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### TOWN ASSESSOR – JUDY M. TAFELSKI:

#### Resolution Relaxing Requirements Re: RPTL 459-c and 467 for Persons with Disabilities and Low Incomes

A motion was made by Councilman Madigan, seconded by Councilman Marston to authorize the Assessor to grant certain exemptions without exercising the renewal application requirement unless there is a reason to believe the owner has changed primary residence, added a new owner to the Deed, transferred the property or passed away.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

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### CODE ENFORCEMENT OFFICE:

#### Special Use Permit Renewal – Robert F. Mesmer, 2548 Love Road – Private Airport/Landing Strip/Residential, Rural Area

A motion was made by Councilman Marston, seconded by Councilman Bahleda to renew the Special Use Permit for Special Use Permit Renewal – Robert F. Mesmer, 2548 Love Road – Private Airport/Landing Strip/Residential, Rural Area. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

#### Special Use Permit Renewal – Thomas Burkman, 800 Kirkwood Drive – Bed & Breakfast

A motion was made by Councilman Madigan, seconded by Councilman Marston to renew the Special Use Permit for Thomas Burkman, 800 Kirkwood Drive – Bed & Breakfast. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### PLANNING BOARD:

#### Local Law Intro #9 of 2019 – Tree Ordinance

A motion was made by Councilman Marston, seconded by Councilman Bahleda to refer Local Law Intro #9 of 2019 – Tree Ordinance to the Town Board.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

#### Southpointe PDD – Revised Development Concept Plan

A motion was made by Councilman Madigan, seconded by Councilman Digati to refer Southpointe PDD – Revised Development Concept Plan to the Town Board.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

#### Gun Creek Subdivision PDD, Phase 3, 57 Lots – Final Plat Approval

##### A. Public Improvement Permit (PIP)

A motion was made by Councilman Digati, seconded by Councilman Marston to accept the recommendation of the Planning Board, and grant Final Plat Approval for Gun Creek Subdivision PDD, Phase 3, 57 Lots, and asking the developer to extend the trails along the creek to the west side, if possible, and add some type of stone/rock seating areas at the end of the trail.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

A motion was made by Councilman Bahleda, seconded by Councilman Marston to approve the Public Improvement Permit (PIP) for Gun Creek Subdivision PDD, Phase 3, 57 Lots. The application is complete, and the fees have been paid.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

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### REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay Vouchers #137148- #137256

General	\$199,752.97
Highway	\$ 77,917.47
Sewer	\$ 66,842.34
Water	\$ 51,273.10
Capital	\$ 48,483.46
Total	\$444,269.34

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

### PUBLIC COMMENTS:

This is an opportunity for residents to comment on any matter regarding Town government on any subject.

Speakers: None

### FROM THE BOARD:

- GO BILLS!
- Mask Mandate
- Rezoning SBL #37.03-1-21.11 (Rivertown) – Grand Island Boulevard and Baseline Road – R-3, R1D, CBD to PDD
- Thanks to Highway Department for snowplowing efforts

### ADJOURNMENT:

A motion was made by Councilman Madigan, seconded by Councilman Digati to adjourn the meeting at 8:59p.m.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney  
Noes 0

A moment of silence was observed in memory of the following:

James Ray, Jr.	Margaret Lebreuz
Gillman Clarke	Audrey Ungaro
Frank Spinner	Russell Galbo, Jr.
James Mitchell	David Crockett
Robert Priest	

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

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